

REMARKS/ARGUMENTS

The office action of July 26, 2005 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested.

Claims 1-20 are pending. Claim 1 has been amended to positively recite that the adhesive is a wood adhesive. Bonding woody materials with an adhesive containing cedarwood oil prevents insect damage, such as from termites. The cedarwood oil is gradually released from the adhesive, passing through the woody materials, providing protection for the woody materials.

The indication that claims 9-20 are allowed and claim 7 is allowable if rewritten in independent form is appreciated.

Claims 1-3 stand rejected under 35 USC 102(b) as anticipated by Ellis (U.S. Patent 1,664,601.) Claim 1 has been amended to positively recite a wood adhesive. Ellis is directed to a composition containing cassava starch as a binding agent for molded articles. Other ingredients such as pigments or dyes or essential oils may be added to provide the molded article with color or an odor. Ellis does not describe a resin base suitable as a wood adhesive combined with cedarwood oil. Withdrawal of this rejection is requested.

Claims 1-2 stand rejected under 35 USC 102(e) as anticipated by Mullen (U.S. Patent 6,749,861). Claim 1 has been amended to positively recite a wood adhesive. Mullen is directed to a fragrance-containing composition for paper substrates. Mullen does not describe a resin base suitable as a wood adhesive combined with cedarwood oil. Withdrawal of this rejection is requested.

Claims 1-6 and 8 stand provisionally rejected over copending application serial number 10/399,852. Enclosed herewith is a certified English translation of the Japanese Priority document for the present application. The Japanese priority document has a filing date of November 5, 2002 which precedes the filing date of the copending application of April 23, 2003. The copending application relies on a PCT application that was published in Japanese, thus its filing date cannot be used as the 102(e) date. Withdrawal of the instant rejection is requested.

Claims 1-6 and 8 also stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 11-12 of copending application serial number

10/399,852. Applicants have not and will not respond to the outstanding action in the copending application. The copending application is abandoned and the instant rejection is moot.

CONCLUSION

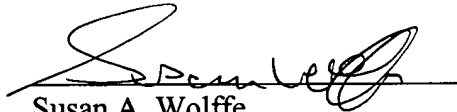
In view of the above amendments and remarks, withdrawal of the rejection and issuance of a Notice of Allowance is requested.

Respectfully submitted,

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